

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

CHARLES JOHNSON, et al.,

Plaintiffs,

v.

Case No.: 3:13-cv-06529

FORD MOTOR COMPANY,

Defendant.

MEMORANDUM OPINION and ORDER

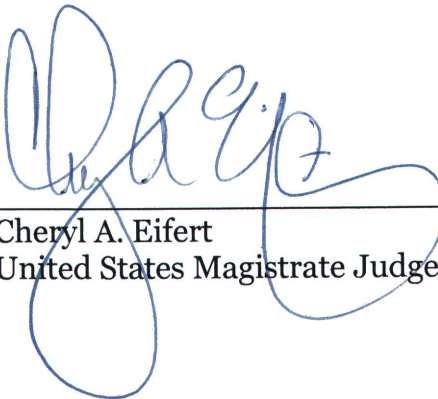
Pending before the Court is Defendant Ford Motor Company's Motion to Seal Deposition of Paul Szuszman, (ECF No. 875), requesting that Exhibit G to Defendant's Response to Plaintiffs' Motion to Compel the Continued Deposition of Paul Szuszman (ECF No. 859-7), be sealed. Having reviewed the motion, and for good cause shown, the Court **GRANTS** the Motion to Seal. The undersigned is cognizant of the well-established Fourth Circuit precedent recognizing a presumption in favor of public access to judicial records. *Ashcraft v. Conoco, Inc.*, 218 F.3d 288 (4th Cir. 2000). As stated in *Ashcraft*, before sealing a document, the court must follow a three step process: (1) provide public notice of the request to seal; (2) consider less drastic alternatives to sealing the document; and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives. *Id.* at 302.

In their motion to seal, Defendant contends that Exhibit G to Defendant's Response contains materials previously designated as confidential under a Protective Order entered in this litigation. (ECF No. 316). Accordingly, the Clerk is **ORDERED** to

seal Exhibit G to Defendant's Response to Plaintiffs' Motion to Compel the Continued Deposition of Paul Szuszman, (ECF No. 859-7) until further order of the Court. The sealed document shall be designated as sealed on the docket, which the Court deems to be sufficient notice to interested members of the public. The Court has considered less drastic alternatives to sealing ECF No. 859-7 in its entirety; however, Defendant claims that the information designated as confidential is scattered throughout the exhibit. In view of the confidential nature of the information, and the format on which the information is contained, no such alternatives are feasible at this time. Accordingly, the Court finds that sealing Exhibit G to Defendant's Response to Plaintiffs' Motion to Compel the Continued Deposition of Paul Szuszman does not unduly prejudice the public's right to access court documents.

The Clerk is instructed to provide a copy of this Order to all counsel of record and any unrepresented parties.

ENTERED: January 18, 2017



Cheryl A. Eifert
United States Magistrate Judge